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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 SHANNON BRADLEY, individually and as
9 Personal Representative of the Estate of
10 RICHARD WILLIAMS, deceased, SEAN
11 WILLIAMS and PATRICK WILLIAMS,

12 Plaintiffs,

13 v.

14 UNITED STATES OF AMERICA,

15 Defendant.

Case No. 2:12-cv-01526 -APG-GWF

**ORDER REOPENING CASE AND
RESCINDING ORDER DISMISSING
CASE [DKT #26]**

16 On May 21, 2013, the Court entered its Order Dismissing Case Without Prejudice
17 [Dkt. #26]. That Order was based upon Defendants' Motion to Dismiss [Dkt. #15] filed
18 November 16, 2012. Subsequent to entry of the Order dismissing this case, Plaintiffs
19 filed a Motion to Reopen Case [Dkt. #28]. That Motion points out that, after the Motion to
20 Dismiss [Dkt. #15] had been fully briefed, Plaintiffs filed a companion case (2:13-cv-250)
21 alleging the same facts set forth in the Complaint in this case, but attaching the requisite
22 Affidavit that had been missing from the first Complaint. The second-filed case (2:12-cv-
23 0250) was consolidated into this case on March 5, 2013, and the second-filed case was
24 closed.

25 Plaintiffs contend that the consolidation of the second-filed Complaint into this
26 case cures the defects in the original Complaint. Defendants' counsel concurs with
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1 Plaintiffs' Motion to Reopen this case, and has no objection to the Complaint being
2 reinstated. Accordingly,

3 **IT IS HEREBY ORDERED** that the Court's May 21, 2013 Order [Dkt. #26] and
4 Clerk's Judgment [Dkt. #27] are rescinded and this case is reopened.

5 Dated: May 28, 2013

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8 ANDREW P. GORDON
9 UNITED STATES DISTRICT JUDGE
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